

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

---

UNITED STATES OF AMERICA,

Plaintiff,

ORDER

05-CR-6161L

v.

JOHN NICOLO,  
DAVID FINNMAN,  
CONSTANCE ROEDER,  
CHARLES SCHWAB,

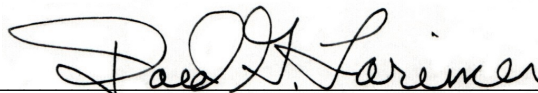
Defendants.

---

Based on the jury's verdict in this case and guilty pleas entered by defendants and cooperating witnesses, many cases are proceeding to sentencing. Restitution to identified victims is an issue that needs to be addressed.

Final determination of restitution issues will be deferred to a time subsequent to the sentencings, pursuant to the provisions of 18 U.S.C. § 3664 and especially (d)(1) and (5),(e),(h) and (j)(2)(A). The actual amount of restitution may be impacted should the Government disburse some of the funds ordered forfeited.

IT IS SO ORDERED.



---

DAVID G. LARIMER  
United States District Judge

Dated: Rochester, New York  
February 12, 2009.